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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: January 4, 2005 Name: Tadashi Horie Reg. No. 40,437 Signature:

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hiroji SAITO  
Tatsuji NAGAOKA  
Tomoko MATSUURA  
Mariko WAKAIZUMI

Appln. No.: 09/830,750

Filed: April 30, 2001

For: APPARATUS FOR TRANSMITTING PROGRAM INFORMATION, COMMUNICATING SYSTEM, METHOD OF TRANSMITTING PROGRAM INFORMATION, METHOD OF INSTRUCTING PROGRAM RECORDING OPERATION, AND METHOD OF INSTRUCTING PROGRAM PURCHASING OPERATION

Attorney Docket No: 9683/77

Examiner: GANTT, Alan T.

Art Unit: 2684

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- Third Supplemental Information Disclosure Statement, Copy of Japanese Office Action, Form PTO-1449, 12 Cited References (D3-14)
- Return Receipt Postcard

**Fee calculation:**

- No additional fee is required.
- Small Entity.
- An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.)
- An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$	Total	\$	

**Fee payment:**

- A check in the amount of \$ \_\_\_\_\_ is enclosed.
- Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- Payment by credit card in the amount of \$ \_\_\_\_\_ (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 4, 2005  
Date

  
Tadashi Horie (Reg. No. 40,437)



### CERTIFICATE OF MAILING

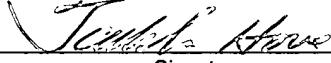
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 4, 2005

Date of Deposit

Tadashi Horie Reg. No. 40,437

Name of Applicant, Assignee or  
Registered Representative

  
Signature

January 4, 2005

Date of Signature

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hiroji SAITO  
Tatsuji NAGAOKA  
Tomoko MATSUURA  
Mariko WAKAIZUMI

Appln. No.: 09/830,750

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APPARATUS FOR TRANSMITTING PROGRAM INFORMATION, COMMUNICATING SYSTEM, METHOD OF TRANSMITTING PROGRAM INFORMATION, METHOD OF INSTRUCTING PROGRAM RECORDING OPERATION, AND METHOD OF INSTRUCTING PROGRAM PURCHASING OPERATION

Attorney Docket No: 9683/77

Examiner: GANTT, Alan T.

Art Unit: 2684

### THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicants hereby cite the following references:

U.S. DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME
6,347,400 B1	02/12/2002	Ohkura et al.
5,416,508	05/16/1995	Sakuma et al.

FOREIGN DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
H10-276161	10/13/1998	Japan
H10-028262	01/27/1998	Japan
H09-051520	02/18/1997	Japan
H08-149447	06/07/1996	Japan
H09-205636	08/05/1997	Japan
H09-051314	02/18/1997	Japan
H10-126759	05/15/1998	Japan
H05-115063	05/07/1993	Japan
H10-117337	05/06/1998	Japan

**OTHER ART – NON PATENT LITERATURE DOCUMENTS**

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)

"Successful Mobile Information Devices. Recent Increases in the Use of Mail", <i>NIKKEI ELECTRONICS</i> , Vol.737, February 22, 1999, pp.160-163
Tera T., "A Personal Computer as a VCR. Easy-To-Use, Ultimate Video Recorder Personal Computers, SONY VAIO PCV-R Series Has Arrived", <i>ASCII</i> , Vol.23, No.7, July 1, 1999, pp.342-351
Houda, H., "Connecting a Home Electrical Appliance to a Personal Computer. Section 3 Service Trend. An Electric Power Meter Becomes a Gateway", <i>NIKKEI ELECTRONICS</i> , Vol.743, May 17, 1995, pp.121-126

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). References D3-D14 were cited in an Office Action issued in the counterpart Japanese application. A copy of the Office Action is attached to this Statement. References D3-14 are in Japanese. Applicants are submitting an English abstract for each of references D3-8 and D11. Also for each of references D4-8 and D12-14, Applicants are submitting a concise explanation of relevant part thereof. For references D9 and D10, Applicants are submitting U.S. Patent Nos. 6,347,400 and 5,416,508, respectively, which are the U.S. counterparts of the references.

Applicants respectfully request the Examiner's consideration of the above references and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is

not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

The Japanese Office Action was issued on October 12, 2004. For purposes of 37 C.F.R. §1.704(d), Applicants certify that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement.

Applicants certify under 37 C.F.R. §1.97(e)(1) that no item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this Statement. Accordingly, Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

January 4, 2005

Date

  
\_\_\_\_\_  
Tadashi Horie (Reg. No. 40,437)



FORM 10-1449 U.S. PATENT & TRADEMARK OFFICE	SERIAL NO. 09/830,750	CASE NO. 9683/77
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE April 30, 2001	GROUP ART UNIT 2684
APPLICANT(S): Hiroji SAITO et al.		

**REFERENCE DESIGNATION**      **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
D1	6,347,400 B1	02/12/2002	Ohkura et al.		
D2	5,416,508	05/16/1995	Sakuma et al.		
D					
D					
D					
D					

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
D3	H10-276161	10/13/1998	Japan		Abstract
D4	H10-028262	01/27/1998	Japan		Abstract
D5	H09-051520	02/18/1997	Japan		Abstract
D6	H08-149447	06/07/1996	Japan		Abstract
D7	H09-205636	08/05/1997	Japan		Abstract
D8	H09-051314	02/18/1997	Japan		Abstract
D9	H10-126759	05/15/1998	Japan		Yes US6,347,400
D10	H05-115063	05/07/1993	Japan		Yes US5,416,508
D11	H10-117337	05/06/1998	Japan		Abstract
D					
D					

EXAMINER INITIAL	OTHER ART - NON PATENT LITERATURE DOCUMENTS	
	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	
D12	"Successful Mobile Information Devices. Recent Increases in the Use of Mail", NIKKEI ELECTRONICS, Vol.737, February 22, 1999, pp.160-163	
D13	Tera T., "A Personal Computer as a VCR. Easy-To-Use, Ultimate Video Recorder Personal Computers, SONY VAIO PCV-R Series Has Arrived", ASCII, Vol.23, No.7, July 1, 1999, pp.342-351	
D14	Houda, H., "Connecting a Home Electrical Appliance to a Personal Computer. Section 3 Service Trend. An Electric Power Meter Becomes a Gateway", NIKKEI ELECTRONICS, Vol.743, May 17, 1995, pp.121-126	
D		

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.